

OCT 31 2003 *image*

1723/A

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

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Total Number of Pages in This Submission

Application Number	10/031,112
Filing Date	January 14, 2002
First Named Inventor	William H. Cork, et al.
Group Art Unit	1723
Examiner Name	Terry K. Cecil
Total Number of Pages in This Submission	*
	Attorney Docket Number F-5629 (0360-0017.01)

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <ul style="list-style-type: none"> - \$180.00 filing fee - <i>14965</i> - Check No. <i>14965</i> - 5 U.S. Patent References - Certificate of Mailing - Return Receipt Postcard
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<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
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By U.S. Postal Service Express Mail Label No. EV321708265US		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd. Gary W. McFarron, Esq. (Reg. No. 27,357)
Signature	<i>Gary W. McFarron</i>
Date	October 30, 2003

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PATENT

Attorney Docket No. F-5629 (0360-0017.01)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
William H. Cork, et al.)
Serial No.: 10/031,112)
Filed: January 14, 2002)
Group Art No.: 1723)
Examiner: Not yet Assigned)
For: MEDICAL SYSTEM, METHOD AND)
APPARATUS EMPLOYING MEMS)

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P.O. Box 1450
Alexandria, VA 22313-1450

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1. Transmittal Form PTO/SB/21 (1 sheet);
2. Supplemental Information Disclosure Statement (2 sheets);
3. Information Disclosure Statement By Applicant PTO/SB/08A (1 sheet);
4. 5 Prior U.S. Patents;
5. Fee Transmittal PTO/SB/17 (1 sheet);
6. Check No. 14965 in the amount of \$180.00 filing fee;
7. Certificate of Mailing (1 sheet); and
8. Return Receipt Postcard.

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Signed: May I. Casimiro



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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180.00)

Complete if Known

Application Number	10/031,112
Filing Date	January 14, 2002
First Named Inventor	William H. Cork, et al.
Examiner Name	Terry K. Cecil
Art Unit	1723
Attorney Docket No.	F-5629 (0360-0017.01)

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

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FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	=
			- 3** =	X	=

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)		IDS	180.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 180.00)

SUBMITTED BY

Name (Print/Type)	Gary W. McFarron, Esq.	Registration No. (Attorney/Agent)	27,357	Telephone	312-236-8500
Signature				Date	October 30, 2003

(Complete if applicable)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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PATENT
Attorney Docket No. F-5629 (0360-0017.01)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
William H. Cork, et al.)
Serial No.: 10/031,112)
Filed: January 14, 2002)
Group Art No.: 1723)
Examiner: Examiner Terry Cecil)
For: MEDICAL SYSTEM, METHOD AND)
APPARATUS EMPLOYING MEMS)

CERTIFICATE OF MAILING BY "EXPRESS MAIL"
"Express Mail" Mailing Label No.: EV321708265 US

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Box 1450, Alexandria, VA 22313-1450.

NAME May Casimiro

SIGNATURE May J. Casimiro

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.97, Applicant hereby calls the
Examiner's attention to the document listed on the attached form,
which document may be material to the examination of this
application. A copy of the document is enclosed herewith for the
Examiner's consideration.

No inference should be drawn that any apparatus or method
disclosed is equivalent to the subject invention.

The citation of this document is not to be construed as an
assertion that more pertinent art could not possibly be in

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existence. Citation of any document herein is not to be construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of the documents discussed herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.

This Supplemental Information Disclosure Statement is being filed after the mailing date of a first Office Action on the merits but before a final action or an action that closes prosecution. Accordingly, a check is enclosed for the amount of \$180.00, the fee for the submission of this Information Disclosure Statement. If any additional fee is required, then authorization is hereby given to charge that amount to Deposit Account 50-1039.

Respectfully submitted,

Date: October 30, 2003

By: Gary W. McFarron

Gary W. McFarron, Esq.

Registration No. 27,357

Cook, Alex, McFarron, Manzo,
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Attorneys for Applicant



PTO/SB/08A (08-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known	
Application Number	10/031,112
Filing Date	January 14, 2002
First Named Inventor	W. H. Cork et al.
Art Unit	1723
Examiner Name	Terry K. Cecil
Attorney Docket Number	F5629 (0360-0017.01)

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature _____ **Date Considered** _____

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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